



## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ -OAR-2004-0093; FRL-9977-99-OAR]

### **Proposed Information Collection Request; Comment Request; Clean Air Act Tribal Authority (Renewal)**

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** The Environmental Protection Agency (EPA) is planning to submit an information collection request (ICR), "Clean Air Act Tribal Authority" (EPA ICR No. 1676.07, OMB Control No. 2060-0306) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act. Before doing so, EPA is soliciting public comments on specific aspects of the proposed information collection as described below. This is a proposed extension of the ICR, which is currently approved through December 31, 2018. An Agency may not conduct or sponsor and a person is not required to respond to a collection of information unless it displays a currently valid OMB control number.

**DATES:** Comments must be submitted on or before **INSERT DATE 60 DAYS AFTER PUBLICATION IN THE FEDERAL REGISTER**.

**ADDRESSES:** Submit your comments, referencing Docket ID No. EPA-HQ-OAR-2004-0093, online using [www.regulations.gov](http://www.regulations.gov) (our preferred method), by email to *a-and-r-docket@epa.gov*, or by mail to: EPA Docket Center, Environmental Protection Agency, Mail Code 28221T, 1200 Pennsylvania Ave., NW, Washington, DC 20460.

EPA's policy is that all comments received will be included in the public docket without change including any personal information provided, unless the comment includes profanity,

threats, information claimed to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

**FOR FURTHER INFORMATION CONTACT:** Pat Childers, Office of Air and Radiation, Immediate Office, (6101A), Environmental Protection Agency, 1200 Pennsylvania Ave., NW, Washington, DC 20460; telephone number: 202-564-1082; fax number: 202-564-0394; email address: *childers.pat@epa.gov*.

**SUPPLEMENTARY INFORMATION:**

Supporting documents which explain in detail the information that the EPA will be collecting are available in the public docket for this ICR. The docket can be viewed online at [www.regulations.gov](http://www.regulations.gov) or in person at the EPA Docket Center, WJC West, Room 3334, 1301 Constitution Ave., NW, Washington, DC. The telephone number for the Docket Center is 202- 566-1744. For additional information about EPA's public docket, visit <http://www.epa.gov/dockets>.

Pursuant to section 3506(c)(2)(A) of the PRA, EPA is soliciting comments and information to enable it to: (i) evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Agency, including whether the information will have practical utility; (ii) evaluate the accuracy of the Agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (iii) enhance the quality, utility, and clarity of the information to be collected; and (iv) minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses. EPA will consider the comments received and amend the ICR as appropriate. The final ICR package will then be submitted to OMB for review and

approval. At that time, EPA will issue another Federal Register notice to announce the submission of the ICR to OMB and the opportunity to submit additional comments to OMB. *Abstract:* This Information Collection Request (ICR) seeks authorization for tribes to demonstrate their eligibility to be treated in the same manner as states under the Clean Air Act (CAA) and to submit applications to implement a CAA program. This ICR extends the collection period of information for determining eligibility, which expires December 31, 2018. The ICR maintains the estimates of burden costs for tribes in completing a CAA application.

The program regulation provides for Indian tribes, if they choose, to assume responsibility for the development and implementation of CAA programs. The regulation Indian Tribes: Air Quality Planning and Management (Tribal Authority Rule [TAR] 40 CFR parts 9, 35, 49, 50, and 81) sets forth how tribes may seek authority to implement their own air quality planning and management programs. This rule establishes: 1) Which CAA provisions Indian tribes may seek authority to implement; 2) What requirements the tribes must meet when seeking such authorization; and 3) What federal financial assistance may be available to help tribes establish and manage their air quality programs. The TAR provides tribes the authority to administer air quality programs over all air resources, including non-Indian owned fee lands, within the exterior boundaries of a reservation and other areas over which the tribe can demonstrate jurisdiction. An Indian tribe that takes responsibility for a CAA program would essentially be treated in the same way as a state would be treated for that program.

*Form Numbers:* None.

*Respondents/affected entities:* States, locals, Indian tribes.

*Respondent's obligation to respond:* Voluntary, required to obtain or retain a benefit (Tribal Authority Rule [TAR] 40 CFR parts 9, 35, 49, 50 and 81).

*Estimated number of respondents:* 8 (total).

*Frequency of response:* One time applications.

*Total estimated burden:* 320 hours (per year). Burden is defined at 5 CFR 1320.03(b).

*Total estimated cost:* \$18,896.00 (per year), includes \$0 annualized capital or operation & maintenance costs.

*Changes in Estimates:* There is no change of hours in the total estimated respondent burden compared with the ICR currently approved by OMB.

Dated: May 7, 2018.

Pat Childers,  
Tribal Program Coordinator, Office of Air and Radiation.

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